

**Electronically Filed
Intermediate Court of Appeals
CAAP-19-0000070
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NO. CAAP-19-0000070

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAII

IN THE INTEREST OF K CHILDREN

APPEAL FROM THE FAMILY COURT OF THE FIRST CIRCUIT
(FC-S NO. 18-00110)

ORDER DISMISSING APPEAL

(By: Ginoza, Chief Judge, Leonard and Hiraoka, JJ.)

Upon review of the record, it appears that:

(1) On January 30, 2019, self-represented Respondent-Appellant MW (MW) filed the notice of appeal from FC-S No. 18-00110;

(2) On August 29, 2019, the court determined MW filed the notice of appeal with an incorrect case number, as she meant to appeal from FC-P No. 16-1-6296 rather than FC-S No. 18-00110. The court, among other things, re-designated the appeal as from FC-P No. 16-1-6296, struck the statement of jurisdiction and all briefs filed in the appeal, discharged MW's counsel, who was appointed in FC-S No. 18-00110, and allowed MW to proceed on appeal self-represented. The court set the deadline for the statement of jurisdiction at ten days after the family court clerk filed an amended record on appeal containing the record in FC-P No. 16-1-6296, but no later than October 8, 2019, and the deadline for the opening brief at thirty days after the family

court clerk filed the amended record on appeal, but no later than October 28, 2019;

(3) On September 26, 2019, the family court clerk filed the amended record on appeal, making the statement of jurisdiction and opening brief due on or before October 7, 2019, and October 28, 2019, respectively;

(4) MW failed to file either document or request an extension of time;

(5) On December 2, 2019, the appellate clerk notified MW that the time for filing the statement of jurisdiction and opening brief had expired, the matter would be called to the court's attention on December 12, 2019, for appropriate action, which could include dismissal of the appeal, under Hawai'i Rules of Appellate Procedure (HRAP) Rule 30, and MW may request relief from default by motion;

(6) The appellate clerk mailed the August 29, 2019 order and the December 2, 2019 default notice to MW at her address on record, and no return mail was received; and

(7) MW took no further action in this appeal.

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, April 30, 2020.

/s/ Lisa M. Ginoza
Chief Judge

/s/ Katherine G. Leonard
Associate Judge

/s/ Keith K. Hiraoka
Associate Judge